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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (STAMP) NO. 32345 OF 2018

Indrayani Ferocost Pvt. Ltd.	.. Petitioner
Vs.	
Shri Prasad Shankar Joshi & Ors.	.. Respondents

Mr. Rajesh S. Jadhav for the Petitioner.
Mr. S. D. Rayrikar, AGP for Respondent No.4.

CORAM : V. L. ACHLIYA, J.
DATE : 26th FEBRUARY, 2019.

P. C. :

1. Heard.
2. Petitioner has challenged order dated 30.08.2018 passed by Respondent No.3. By virtue of order passed, the learned Member of the Maharashtra Revenue Tribunal has rejected the application seeking restoration of application seeking restoration of earlier application filed for restoration of Revision Petition which was dismissed in default.
3. In brief, it is contention of learned Counsel for the Petitioner that the absence of Petitioner and his Advocate was not deliberate and the fault on the part of the Advocate representing the Petitioner, the Petitioner should not suffer.
4. On due consideration of the submission advanced, I am of the view that order calls for no interference in exercise of writ jurisdiction under Article 227 of the Constitution of India. It is apparent from the face of the

orders passed that the Petitioner has acted very negligently in prosecuting the matter. The Revision Petition filed by the Petitioner was dismissed in default vide order dated 20.06.2017. The application filed by the Petitioner seeking restoration of said Revision Petition also came to be dismissed in default of the Petitioner vide order dated 25.06.2018. The dismissal was not only on the ground of failure on the part of the Advocate to appear but also for the reason no steps were taken to serve the Opponent. In this background, impugned order dated 30.08.2018 passed by Respondent No.3 to refuse to entertain the application seeking restoration of earlier application for restoration of Petition cannot be termed as perverse so as to call for interference in exercise the writ jurisdiction under Article 227 of the Constitution of India. The Petition is devoid of merits and no substance therein. Accordingly, the Writ Petition is dismissed.

[V. L. ACHLIYA, J.]